



DEPARTMENT OF THE NAVY  
BOARD FOR CORRECTION OF NAVAL RECORDS  
2 NAVY ANNEX  
WASHINGTON DC 20370-5100

TRG  
Docket No: 4062-02  
16 August 2002

[REDACTED]

[REDACTED]

This is in reference to your application for correction of your naval record pursuant to the provisions of Title 10 of the United States Code, section 1552.

A three-member panel of the Board for Correction of Naval Records, sitting in executive session, considered your application on 13 August 2002. Your allegations of error and injustice were reviewed in accordance with administrative regulations and procedures applicable to the proceedings of this Board. Documentary material considered by the Board consisted of your application, together with all material submitted in support thereof, your naval record and applicable statutes, regulations and policies. In addition, the Board considered the letter to you, dated 28 March 2002, from the Military Awards Branch, Headquarters Marine Corps, a copy of which is enclosed.

After careful and conscientious consideration of the entire record, the Board found that the evidence submitted was insufficient to establish the existence of probable material error or injustice. In this connection the Board substantially concurred with the comments contained in the Military Awards Branch letter.

Concerning the issue of the military occupation specialty (MOS) code, the Board noted that assignment of the codes is a matter solely within the discretion of the Marine Corps. However, the Board also noted that you only served in MOS 0331 for less than 90 days, which is not very significant.

Accordingly, your application has been denied. The names and votes of the members of the panel will be furnished upon request.

It is regretted that the circumstances of your case are such that favorable action cannot be taken. You are entitled to have the Board reconsider its decision upon submission of new and material evidence or other matter not previously considered by the Board. In this regard, it is important to keep in mind that a presumption of regularity attaches to all official records. Consequently, when applying for a correction of an official naval

record, the burden is on the applicant to demonstrate the existence of probable material error or injustice.

Sincerely,

W. DEAN PFEIFFER  
Executive Director

Enclosure



This responds to your inquiry, concerning verification of awards for your service in the U.S. Marine Corps. I regret the delay in receiving your records and responding to your request.

You are entitled to the following awards, which are listed in order of precedence:

Presidential Unit Citation awarded to 1st Marine Division for service in Vietnam during the period September 15, 1967, to October 31, 1968

National Defense Service Medal

Vietnam Service Medal with one silver star (in lieu of five bronze stars)

Republic of Vietnam Meritorious Unit Citation  
(Gallantry Cross Color with palm and frame) ribbon bar

Republic of Vietnam Meritorious Unit Citation  
(Civil Actions Color with palm and frame) ribbon bar

Republic of Vietnam Campaign Medal

Rifle Marksman Badge

The Personnel Management Support Branch (MMSB) of this Headquarters will forward a reply regarding correction of your DD-214 to you under separate correspondence. Any further correspondence relating to your DD-214 should be addressed to that branch.

After careful review of your service record book and consideration of your request, a determination has been made that you are not entitled to the Combat Action Ribbon for your service in Vietnam while a member of Security Platoon, your records reveal that you failed to serve honorably during your tour in Vietnam. The Combat Action Ribbon is a restrictive personal award. As stated in the Navy and Marine Corps Awards Manual, the principle eligibility criterion for this award is satisfactory participation in a bonafied ground firefight.

Our review of your records, and those of this Headquarters, the Navy Department Board of Decorations and Medals, and Fleet Marine Force Pacific failed to reveal any evidence that you were ever recommended for a personal decoration.

As required by regulations, in order for you to be considered for the award of a personal decoration, including the Bronze Star Medal, your commanding officer or another officer having personal knowledge of your actions must have submitted a recommendation for the award. Since there is no evidence in your case that a recommendation was ever submitted, no further action can be taken.

However, Subtitle C, Section 526 of the National Defense Authorization Act for Fiscal Year 1996, which was enacted into law on February 10, 1996, provides for the consideration of award recommendations, which were not submitted in a timely fashion. Should you be able to locate your former commanding officer or another officer who has personal, first hand, knowledge of your actions, that officer may submit a personal award recommendation in your behalf to the Commandant of the Marine Corps for consideration.

During the period you served in the Marine Corps, the Purple Heart was authorized for award to those who were wounded or injured as a direct result of action by an enemy of the United States or an opposing armed force of a foreign country in which the Armed Forces of the United States was engaged.

Regrettably, a review of your service and medical records, and the records at this Headquarters fails to reveal any documentation that the enemy ever wounded you in action. Therefore, it has been determined that you are not entitled to a Purple Heart award.

Since there is no indication in the records that you were ever injured under conditions, which would qualify you for the Purple Heart award, regulations require that you obtain eyewitness statements. The eyewitness statements can be from the medical personnel who treated you in the field or two other personnel who were present at the time you were injured. Statements should contain the time, place, medical attention received, and detailed verification of the circumstances that the injury was a direct result of enemy action. If you can provide the above information, further consideration will be given to your request.

I realize that it will be difficult to obtain eyewitness statements due to the length of time that has elapsed. This Headquarters is keenly aware of the fact that there are undoubtedly many cases of Marines who sustained injuries, which might qualify them for the Purple Heart. In those cases, which cannot be so verified, the eyewitness statements are required.

This Headquarters does not maintain a listing of former Marines and their addresses. However, you may obtain a listing of the officers and enlisted Marines who were assigned to your former unit by requesting copies of the unit rosters for the period in question from the following address:

Headquarters United States Marine Corps  
Manpower and Reserve Affairs  
2008 Elliott Road (Code MMSB)  
Quantico, VA 22134-5103

Should you be able to obtain the names of former Marines that were eyewitness to your injury, you may request assistance in locating them from the below listed organizations:

Mail Call Editor  
Leatherneck Magazine  
P.O. Box 1977  
Quantico, VA 22134  
Telephone: 1-800-336-0291  
E-Mail: leatherneck@mca-marines.org

Vietnam Veterans of America, Inc.  
Vietnam Locator



I regret that a more favorable reply is not possible and I realize that the decision is not what you expected. In no way does it diminish your contributions to this Country and Corps. A copy of this letter will be filed in your official military records.

Sincerely,



Head, Military Awards Branch  
Personnel Management Division  
by direction of the  
Commandant of the Marine Corps

Copy to:

